

## Remarks

In the present RCE, claims 1-5, 7, and 17-34 are presented for examination.

### Drawings Objections

The drawings are objected to because they are without labels. Applicants amend Figure 2 as requested by the Examiner. Specifically, the descriptive label “IMAGE SENSOR” is added to the box labeled 226.

### Claim Rejections: 35 USC § 103(a)

Claims 1, 3-25, 27-28, and 30-34 are rejected under 35 USC § 103(a) as being unpatentable over US publication number 2004/0233482 (Kuan) in view of USPN 5,818,612 (Segawa). Claims 2, 26, and 29 are rejected under 35 USC § 103(a) as being unpatentable over US publication number 2004/0233482 (Kuan) in view of USPN 5,818,612 (Segawa) and USPN 6,377,703 (Yeung). These rejections are traversed.

The independent claims recites one or more elements that are not taught or suggested in Kuan in view of Segawa and Yeung. These missing elements show that the differences between the combined teachings in the art and the recitations in the claims are great. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art.

As one example, independent claim 1 pre-processing image data obtained through the preview scanning to automatically determine settings to apply during a subsequent final scan. The claim then recites applying the settings obtained during the preview scanning to perform the subsequent final scan of the media. By contrast, Kuan teaches a preview scan to show display results to a user. The user can then “indicate which region of the document he or she desires, based on the preview scan results” (see Kuan at paragraph [0035]). Nowhere does Kuan teach or even suggest that his pre-scan is used to determine settings to apply during the final scan. Further, the claim recites that settings “obtained during the preview scanning” are applied to perform the subsequent final scan. In Kuan, user changes after the pre-scan are used in the final scan. Kuan does not apply settings obtained in the pre-scan to perform the final scan.

The differences between the claims and the teachings in the art are great since the references fail to teach or suggest all of the claim elements. As such, the pending claims are not a predictable variation of the art to one of ordinary skill in the art.

For at least these reasons, the claims are allowable over the art of record.

## **CONCLUSION**

In view of the above, Applicants believe that all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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